

**SPECIAL COUNCIL MEETING
CITY OF WATERTOWN
February 11, 2008
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS** (arrived at 7:05)
 COUNCIL MEMBER JOSEPH M. BUTLER, JR.
 COUNCIL MEMBER PETER L. CLOUGH
 COUNCIL MEMBER JEFFREY M. SMITH
 MAYOR GRAHAM

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU**

Mayor Graham opened the special meeting.

C O M M U N I C A T I O N

From Myron Kehoe advising Council that he was under the assumption that 804 State Street was going to be sold at public auction. He stated that he is willing to pay as much or more than the outstanding taxes on the property.

ABOVE PLACED ON FILE

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO PUT 804 STATE STREET ON THE LIST FOR PUBLIC SALE OF CITY OWNED TAX SALE CERTIFICATES.

MOTION WAS SECONDED BY MAYOR GRAHAM.

**RULES WAIVED BY MOTION OF COUNCIL MEMBER CLOUGH,
SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL
VOTING IN FAVOR THEREOF.**

Council Member Smith remarked that he won't change his vote this evening. He stated that it did not seem that the interest was that great at the last meeting. He stated that it is unfortunate and he wished that he had known the information prior to the vote at the last meeting. He remarked that Council needed to know the amount of interest.

Council Member Clough commented that he asked the question and Mr. Mills stated that he had two or three interested in the parcel. He stated that Mr. Mills felt we could get more money out of it at auction.

Mr. Mills explained that competition would bring a higher price.

Council Member Smith responded that Mr. Mills was asked how much interest was shown in the property and he responded that he had received some phone calls.

Mayor Graham said that Council does, on occasion, sell things at private sale. However, whether or not someone came to a Council meeting shouldn't determine whether or not they are more interested than someone else. He also remarked that in any event, if this had gone as a private sale, it would still have to be approved by Council.

Council Member Burns remarked that there was a specific question asked of Mr. Mills and his response was that someone in the community had an interest in it. She said that Mr. Mills never said that they could get more money by going through the auction. She stated that Council's goal is not to send property to auction. Council's goal is to get it back on the tax rolls. The individual contacted all members of Council indicating his interest. Council Member Burns remarked that this is a positive thing. She also remarked that most of the property in the past has been sent to public auction. However, there have been times when property has been sold at private sale. She also stated that she was not told at the last meeting that the other individual that was interested had keys to the property, had been going onto the property and had initial environmental work done on the property. She stated that she was told this by Mayor Graham. Council Member Burns remarked that it is incumbent upon staff to inform Council before decisions are made.

Mayor Graham remarked that his comments were that Mr. Kehoe said he had dealings with Parrish Oil and had dealings with Mr. Mills. He also explained that Mr. Kehoe phoned him in protest to the exclusion of the property from auction. He also remarked that, for whatever reason, Mr. Kehoe had been led to believe that there would be an auction. Mayor Graham explained that his intent in calling all members of Council was to advise them that Mr. Kehoe had expressed an interest prior and was waiting for the auction.

Council Member Clough explained that he wasn't contacted by either party before hand. He asked Mr. Mills if Mr. Kehoe had said anything about having keys.

Mr. Mills explained that Mr. Kehoe had told him he had environmental work done. However, Mr. Bonner also mentioned that he had work done as well. He explained that his point at the last meeting was that an auction would be the fairest method if two or more are interested in a property. He also advised that he had told all interested parties that they weren't the only ones showing interest.

Mrs. Corriveau commented that until that evening, staff didn't even know that it could be offered privately. She also stated that staff doesn't get into sharing private information in a public session.

Council Member Burns responded that there is a big difference between two or three inquiries and a local business person that has had environmental assessments done. She also commented that when we have a property that the City won't take title to and we have an individual that's willing to step up to the plate and develop the site, we should be

able to do so through a private sale. She also commented that she doesn't like it being portrayed as being a sale made quietly. Council Member Burns also commented to Mayor Graham that he has also voted for private sales depending on the circumstances.

Council Member Clough remarked that he agrees that different cases have had private sales and that money is not the issue. He stated that his concern was that Mr. Mills said he had been contacted by others who were interested in the property and that is why he felt it should stay in the auction.

Council Member Smith commented that this case was unique. No one came in to buy the certificate over the years. In the course of a week, an individual lobbied some of the Council and showed an active interest in it. He also remarked that had he known there was as much interest in it as there was, he would have sent it to auction.

Mayor Graham asked if Council should correct the record since they now have the additional information.

Mr. Mills advised that there is also an interested third party that could not be here this evening due to a death in the family. He indicated that he would be willing to give the information to Council in executive session.

Council Member Butler remarked that he based his decision on the facts that existed at the time. He stated that Council can't continue to correct the past. He also remarked that phone calls do not equate interest and we have to live with this decision.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING MOTION AND DEFEATED WITH COUNCIL MEMBER CLOUGH AND MAYOR GRAHAM VOTING YEA AND COUNCIL MEMBER BURNS, COUNCIL MEMBER BUTLER AND COUNCIL MEMBER SMITH VOTING NAY.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 7:40 P.M. BY MOTION OF COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk

